



Order Filed on March 14, 2025  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Caption in Compliance with D.N.J. LBR 9004-1(b)

In re:

RITE AID CORPORATION., *et al.*,

Post-Effective Date Debtors.<sup>1</sup>

KELLY MANGUS, NEXT FRIEND AND GUARDIAN OF MINOR  
CHILD L.M., *et al.*,

Plaintiffs,

v.

RITE AID CORPORATION, *et al.*,

Defendants.

Chapter 11

Case No. 23-18993 (MBK)

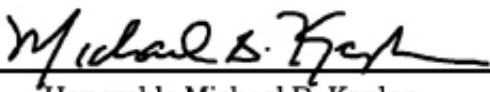
(Jointly Administered)

Adv. Case No. 24- 01211 (MBK)

**STIPULATION AND CONSENT ORDER EXTENDING THE  
DEADLINE FOR RESPONDING TO THE ADVERSARY COMPLAINT  
AND PROVIDING RELATED RELIEF**

The relief set forth on the following pages, numbered three (3) through six (6), is **ORDERED**.

**DATED: March 14, 2025**

  
\_\_\_\_\_  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

**KIRKLAND & ELLIS LLP**

**KIRKLAND & ELLIS INTERNATIONAL LLP**

Edward O. Sassower, P.C.

Joshua A. Sussberg, P.C. (admitted *pro hac vice*)

Aparna Yenamandra, P.C. (admitted *pro hac vice*)

Ross J. Fiedler (admitted *pro hac vice*)

Zachary R. Manning (admitted *pro hac vice*)

601 Lexington Avenue

New York, New York 10022

Telephone: (212) 446-4800

Facsimile: (212) 446-4900

esassower@kirkland.com

joshua.sussberg@kirkland.com

aparna.yenamandra@kirkland.com

ross.fiedler@kirkland.com

zach.manning@kirkland.com

**COLE SCHOTZ P.C.**

Michael D. Sirota, Esq.

Warren A. Usatine, Esq.

Felice R. Yudkin, Esq.

Seth Van Aalten, Esq. (admitted *pro hac vice*)

Court Plaza North, 25 Main Street

Hackensack, New Jersey 07601

Telephone: (201) 489-3000

msirota@coleschotz.com

wusatine@coleschotz.com

fyudkin@coleschotz.com

svanaalten@coleschotz.com

*Co-Counsel to Rite Aid Corporation and the Post-Effective Date Debtors*

(Page 3)

Debtors: RITE AID CORPORATION, et al.  
Case No. 23-18993 (MBK)  
Adv. Proc. No. 24-01211 (MBK)  
Caption of Order: Stipulation and Consent Order Extending the Deadline for Responding to the Adversary Complaint and Providing Related Relief

---

The plaintiffs in the above-captioned adversary proceeding (the “Plaintiffs”) and defendant Rite Aid Corporation (“Rite Aid,” and together with Plaintiffs, the “Parties”), by and through their undersigned counsel, hereby stipulate and agree as follows:

**WHEREAS**, on May 14, 2024, Plaintiffs filed an adversary complaint (the “Complaint”) (Adv. Docket No. 1) against the above-captioned defendants (the “Defendants”), initiating the above-captioned adversary proceeding.

**WHEREAS**, the Second Amended Joint Chapter 11 Plan of Reorganization of Rite Aid Corporation and its Debtor Affiliates (With Further Modifications) (Docket No. 4532) (the “Plan”) was confirmed by the Court on August 16, 2024 (the “Confirmation Order”), and the Effective Date<sup>7</sup> of the Plan occurred on August 30, 2024.

**WHEREAS**, by stipulation dated September 25, 2024, the Parties agreed to an extension of Defendants’ time in which to respond to the Complaint (Adv. Docket No. 19).

**WHEREAS**, by Order dated September 25, 2024, the Court granted the Parties’ stipulation, and as a result, Defendants’ deadline for responding to the Complaint was extended to January 15, 2025 (Adv. Docket No. 20).

**WHEREAS**, by stipulation dated December 30, 2024, the Parties agreed to a subsequent extension of Defendants’ time in which to respond to the Complaint (Adv. Docket No. 25).

**WHEREAS**, by Order dated January 7, 2025, the Court granted the Parties’ stipulation, and as a result, Defendants’ deadline for responding to the Complaint is currently extended to March 16, 2025 (Adv. Docket No. 27).

---

<sup>7</sup> Capitalized terms used but not defined in this Stipulation have the meanings ascribed to such terms in the Plan.

(Page 4)

Debtors: RITE AID CORPORATION, *et al.*  
Case No. 23-18993 (MBK)  
Adv. Proc. No. 24-01211 (MBK)  
Caption of Order: Stipulation and Consent Order Extending the Deadline for Responding to the Adversary Complaint and Providing Related Relief

---

**WHEREAS**, by motion dated October 1, 2024, one of the Defendants, Starr Indemnity & Liability Company (“Starr”), moved to dismiss the Complaint (Adv. Docket No. 23).

**WHEREAS**, on September 3, 2024, Plaintiffs filed a Notice of Appeal to the District Court of New Jersey (*See Appeal*, Docket No. 1). *See Ad Hoc Committee for NAS Children and West Virginia NAS Claimants v. Rite Aid Corporation*, 3:24-cv-08940-GC (D.N.J) (the “Appeal”).

**WHEREAS**, briefing in the Appeal concluded on January 30, 2025, and the court’s decision is pending (*See Appeal*, Docket No. 12).

**WHEREAS**, the Parties have conferred and determined that entry into this stipulation (the “Stipulation”) will likely allow them to have the District Court’s ruling before they engage in dispositive motion practice in this action, allowing the Parties to avoid briefing unnecessary arguments and to otherwise proceed in an orderly and efficient manner.

**NOW, THEREFORE**, in consideration of the foregoing, and pursuant to Federal Rule of Bankruptcy Procedure 9006(b), the Parties stipulate and agree that:

1. The Defendants’ time in which to respond to the Complaint (the “Response Date”) is extended through and including May 16, 2025, with all Parties having reserved and preserved any defenses to lack of service or personal jurisdiction.

2. The May 16, 2025 Response Date may be further extended by Order of the Court, upon motion of any of the Parties, on notice to all of the Parties.

3. The continued response date and all resulting briefing and hearing dates shall apply to Starr.

(Page 5)

Debtors: RITE AID CORPORATION, *et al.*

Case No. 23-18993 (MBK)

Adv. Proc. No. 24-01211 (MBK)

Caption of Order: Stipulation and Consent Order Extending the Deadline for Responding to the Adversary Complaint and Providing Related Relief

---

4. Starr preserves all rights to amend or supplement its motion to dismiss, withdraw and refile its motion, assert additional defenses, or file further motions through and including the continued response date or as further extended by Order of the Court.

5. A status conference shall be held with respect to this matter on such date after May 31, 2025, as may be set by the Court.

6. Except as specifically set forth herein, all rights, claims and defenses of the Parties (including all Defendants) are fully preserved.

*[Remainder of Page Intentionally Left Blank]*

(Page 6)

Debtors: RITE AID CORPORATION, *et al.*  
Case No. 23-18993 (MBK)  
Adv. Proc. No. 24-01211 (MBK)  
Caption of Order: Stipulation and Consent Order Extending the Deadline for Responding to  
the Adversary Complaint and Providing Related Relief

---

Dated: March 12, 2025

**THE DANN LAW FIRM**

/s/ Brian D. Flick

Javier L Merino, Esq.  
Brian D. Flick, Esq.  
15000 Madison Avenue  
Lakewood, OH 44107  
513-645-3488  
jmerino@dannlaw.com  
bflick@dannlaw.com

and

**STEPHEN NEW & ASSOCIATES**

Stephen P. New, Esq.  
430 Harper Park Drive  
P.O. Box 5516  
Beckley, WV 25801  
304-250-6017  
steve@newlawoffice.com

*Co-Counsel to the Plaintiffs*

**COLE SCHOTZ P.C.**

/s/ Michael D. Sirota

Michael D. Sirota, Esq.  
Warren A. Usatine, Esq.  
Court Plaza North, 25 Main Street  
Hackensack, NJ 07601  
201-489-3000  
msirota@coleschotz.com  
wusatine@coleschotz.com

and

**KIRKLAND & ELLIS LLP  
KIRKLAND & ELLIS  
INTERNATIONAL LLP**

Edward O. Sassower, P.C.  
Joshua A Sussberg, P.C. (admitted *pro hac vice*)  
Aparna Yenamandra, P.C. (admitted *pro hac vice*)  
601 Lexington Avenue  
New York, NY 10022  
212- 446-4800  
esassower@kirkland.com  
joshua.sussberg@kirkland.com  
aparna.yenamandra@kirkland.com

*Co-Counsel to Rite Aid Corporation and the Post-Effective Date Debtors*